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FE 6033 (US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re patent application of)
)
)

Luigi RESCONI et al.)

Serial No. 10/520,565)

Filed **January 7, 2005**)

For **CATALYST SYSTEM FOR THE**)
POLYMERIZATION OF OLEFINS)

) Art Unit: 1713

) Examiner: C. C. Lu

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRANSMITTAL LETTER


Submitted herewith for filing in the U.S. Patent and Trademark Office are the following:

- ☒ Postcard
- ☒ Transmittal Letter
- ☒ Petition for Revival of an Unintentionally Abandoned Patent Appln (in duplicate) (3 pages)
- ☒ Attachment A - Declaration Under 37 CFR 1.132) (3 pages)
- ☒ Attachment B – Copy of Part B – Fee(s) Transmittal Form w/ receipt acknow card (2 pages)

Respectfully submitted,

LUIGI RESCONI ET AL.

By


Jarrod N. Raphael
Registration No. 55,566
Agent for Applicant

Basell USA Inc.
912 Appleton Road
Elkton, Maryland 21921
Date: **October 10, 2007**



FE 6033 (US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of:)
Luigi RESCONI et al.)
) Art Unit: 1713
Serial No.: 10/520,565)
) Examiner: C.C. Lu
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)
For: CATALYST SYSTEM FOR THE POLYMERI-)
ZATION OF OLEFINS)

Mail Stop Petitions
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

PETITION FOR REVIVAL OF AN UNINTENTIONALLY ABANDONED
PATENT APPLICATION UNDER 37 CFR 1.137(b)

Applicant respectfully believes the above-identified application became unintentionally abandoned for failure to timely pay the issue fee of \$1400.00 and the publication fee of \$300.00 by the due date of October 5, 2006.

As outlined in a declaration executed by Ms. Jolene A. Outten, a paralegal in the Intellectual Property Department for Basell USA, Inc. submitted herein as ATTACHMENT A, during an internal audit of Deposit Account Statements for Applicant's Deposit Account 08-2336 on or around September 12, 2007, Ms. Outten became aware that the aforementioned fees were never debited from Applicant's Deposit Account as authorized on the Part B - Fee(s) Transmittal form submitted by Applicant on August 1, 2006. A copy of the Part B - Fee(s) Transmittal form, as well as the postcard sent therewith, 10/which is stamped as

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1540.00 DA

being received by the U.S. Patent and Trademark Office on August 2, 2006, is submitted herein as ATTACHMENT B.

Accordingly, as outlined in the aforementioned declaration, on or around September 13, 2007, Ms. Outten reviewed the file history of the above-identified application on the U.S. Patent and Trademark Office's Public PAIR system to determine the status of the same. During Ms. Outten's review of the file history for the above-identified application, Ms. Outten noticed a Notice of Abandonment was mailed on November 11, 2006. However, it is believed the mailed copy of the Notice of Abandonment for the above-identified application was never received, since receipt of a mailed copy of the Notice was never docketed in Applicant's internal docketing system as being received by Applicant from the U.S. Patent and Trademark Office, nor is a copy of the Notice in Applicant's internal file for the above-identified application.

As such, Applicant is now respectfully petitioning the U.S. Patent and Trademark Office to revive the above-identified application as being unintentionally abandoned. Applicant asserts that the necessary funds are in Deposit Account No. 08-2336, and hereby respectfully requests the Office to charge the requisite issue fee of \$1400.00, and publication fee of \$300.00 to the Deposit Account Branch.


APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Please charge Deposit Account number 08-2336 the amount of \$1,500.00 under 37 CFR 1.17(m). For this reason this document is presented in duplicate. Any deficiency or overpayment should be charged or credited to Deposit Account No. 08-2336.

Applicant respectfully believes since this utility application was filed on or after June 8, 1995, no terminal disclaimer is required at this time.

Additionally, the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,

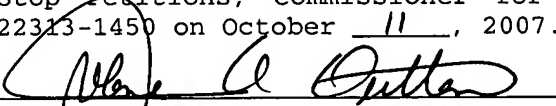
By 
Jarrod N. Raphael
Registration No. 55,566

Basell USA Inc.
Agent for Applicants
912 Appleton Road
Elkton, Maryland 21921

October 10, 2007

Agent's Telephone No.: 410-996-1750
Agent's Facsimile No.: 410-996-1560
Agent's E-mail: jarrod.raaphael@basell.com

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petitions, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on October 11, 2007.


Signature


Date

FE 6033 (US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re patent application of:)
 Luigi RESCONI et al.)
) Art Unit: 1713
 Serial No.: 10/520,565)
) Examiner: C.C. Lu
 Filed: January 7, 2005)
)
 For CATALYST SYSTEM FOR THE POLYMERI-)
 ZATION OF OLEFINS)

Mail Stop Petitions
 Commissioner for Patents
 P. O. Box 1450
 Alexandria, VA 22313-1450

Sir:

DECLARATION UNDER 37 C.F.R. §1.132

I, Ms. Jolene A. Outten hereby declare:

1. THAT I am Ms. Jolene A. Outten.

2. THAT on October 17, 1983, I became an employee of Hercules Incorporated, which is now Basell USA, Inc. (herein referred to as "Basell").

3. THAT I have, and still do work as a paralegal in the Intellectual Property department for Basell, and Basell predecessor companies for twenty-four (24) years.

4. THAT during an internal audit of Deposit Account Statements for Applicant's Deposit Account 08-2336 on or around September 12, 2007, I became aware that the aforementioned fees were never debited from Basell's

Deposit Account as authorized on the Part B - Fee(s) Transmittal form submitted by Applicant on August 1, 2006.

5. THAT on or around September 13, 2007, I reviewed the file history of the above-identified application on the U.S. Patent and Trademark Office's Public PAIR system to determine the status of the same.

6. THAT during my review of the file history for the above-identified application, I noticed a Notice of Abandonment was mailed on November 11, 2006 (herein referred to as "the Notice") for the above-identified application.

7. THAT before my review of the file history for the above-identified application, Basell's internal docketing system, which I help manage, did not have the Notice as being received.

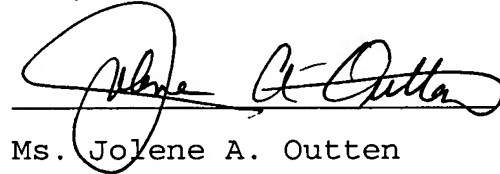
8. THAT before my review of the file history for the above-identified application, Basell's internal paper file for the above-identified application did not have the Notice therein.

9. THAT I believe the Notice mailed for the above-identified application was never received.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and that these statements are made with the knowledge that willful false statements and the like so made are punishable by

fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the present application or any patent resulting there from.

Signed this 10th day of October, 2007



Ms. Jolene A. Outten

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with

licable fee(s), to: Mail

Mail Stop ISSUE F
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 or Fax (571)-273-2885

ATTACHMENT B

Doe

OCT 12 2007

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence, including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or indicated otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

34872

7590

07/05/2006

BASELL USA INC.
 INTELLECTUAL PROPERTY
 912 APPLETON ROAD
 ELKTON, MD 21921

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Jolene A Outten

(Depositor's name)

Jolene A Outten

(Signature)

August 1, 2006

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/520,565	01/07/2005	Luigi Resconi	FE 6033 (US)	5272

TITLE OF INVENTION: CATALYST SYSTEM FOR THE POLYMERIZATION OF OLEFINS

10/15/2007 MGBREM2 00000055 002336 10520565

01 FC:1501 1440.00 DA
 02 FC:1504 300.00 DA

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$1700	10/05/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
LU, C CAIXIA	1713	526-134000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Jarrod N Raphael

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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Basell Polyolefine GmbH

Wesseling, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☒ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies _____

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 08-2366 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

Date August 1, 2006

Typed or printed name

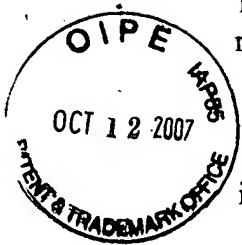
Jarrod N Raphael

Registration No. 55,566

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

The PTO date stamp hereon is in acknowledgment that on this date PTO received:



FORM PTOL-85 - ISSUE FEE TRANSMITTAL (in duplicate)

in reference to U.S. Patent Application of **Luigi Resconi et al.**, S.N. 10/520,565, filed January 7, 2005.

Received Basel

AUG 8 2006

Atty Dkt No: FE 6033 (US)

IP / Law

